




MEMORANDUM

October 7, 2011

TO: The Mayor and Council

FROM: David Celeste, Jr.,  Chairman, Board of Supervisors of Elections

SUBJECT: Election Ordinance - Chapter 8 of the Rockville City Code

I am writing to you on behalf of the Board of Supervisors of Elections to request that the Mayor and Council take up an amendment to Chapter 8 (Elections) of the Rockville City Code. Specifically, the Board is requesting that the Mayor and Council adopt an amendment to the language in § 8-77(a) of the City's Code to reference "8-78(d)," instead of "8-78(b)."

Section 8-77(a) of the City's Election Code currently reads as follows:

- (a) *Contributions and expenses.* The contributions of a candidate or his spouse to the candidate's own campaign are not subject to the limitations of subsection 8-78(b), but must pass through the hands of the candidate's treasurer and be reported as required in other provisions in this article. Personal expenses of the candidate for filing fees, telegrams, telephoning, travel, and board, shall not be considered contributions if paid for by the candidate or his spouse.

Subsection 8-78(b), however, does not address limitations to contributions. Instead, it addresses an exception to volunteering time and using a personal vehicle and reads as follows:

- (b) *Exception for volunteering time and personal vehicle.* Nothing contained in this section shall limit or affect the right of any person to volunteer his time or personal vehicle for transportation incident to any election or to expend money for proper legal expenses in maintaining or contesting the results of any such elections.

The only subsection of § 8-78 that involves limitations to contributions is subsection (d) which reads as follows:

- (c) *Limit of contributions.* It is unlawful for any individual, association, unincorporated association, corporation, or any other entity, either directly or

indirectly, to contribute in any election cycle any money or thing of value greater than one thousand dollars (\$1,000.00) to any single candidate or campaign committee or to contribute money in excess of one hundred dollars (\$100.00) except by check, except that contributions may be made by any electronic method provided said contribution is recorded by the Treasurer and a receipt is provided to the contributor and a copy of the receipt is maintained by the Treasurer. Total contributions by a contributor to various campaign committees and candidates in any election cycle under this subsection shall not exceed two thousand dollars (\$2,000.00).

) This typographical error was recently brought to the attention of the Board. Since this matter has been raised in the middle of an election and to avoid any further concerns regarding what the Board believes is a typographical error in the Code, the Board requests that the Mayor and Council adopt a corrective amendment to Chapter 8 prior to the election, if possible.

Cc: Board of Supervisors of Elections